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MAY 23 2001

Technology Center 2100

Paper No. 6

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**In re Application of: C. Thompson et al.
Application No.: 09/576,462
Filed: May 23, 2000
For: SYSTEM AND METHOD FOR
PROCESSING IMPORT/EXPORT
TRANSACTIONS**

**DECISION ON PETITION
TO MAKE SPECIAL**

This is a decision on the request for reconsideration, filed on April 13, 2001, regarding the petition, filed February 15, 2001 under 37 C.F.R. §102(d) to make the above-identified application special. The petition will be treated as further filed under M.P.E.P. § 708.02(II): Infringement due to petitioner's assertion of infringement.

A grantable petition under 37 C.F.R. §1.102(d), and M.P.E.P. §708.02, Section II, must be accompanied by payment of the fee under 37 C.F.R. §1.17(i) and a statement under 37 C.F.R. §1.102 by the applicant or assignee or statements by an attorney/agent registered to practice before the Patent and Trademark Office that (A) there is an infringing device or product actually on the market or method in use; (B) a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and (C) he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the prior art. A fee under 37 C.F.R. for such a petition is required.

The prior decision, mailed April 13, 2001, indicated that applicant's submission was deficient in that it did not state that an infringing device or product was actually on the market or method in use as per (A) above and did not state that a "careful and thorough" search of the prior art has been made as per (C) above. Applicant's submissions of April 13, 2001 and February 15, 2001 together meet all the criteria set forth above.

Accordingly, the petition is **GRANTED**. The application file is being forwarded to the Examiner for accelerated examination in accordance with M.P.E.P. § 708.02. If the application is subsequently allowed, it will be given priority for printing. See M.P.E.P. § 1309.



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